**INFORMATION DISCLOSURE STATEMENT**

Applicant : Gene DiPoto
App. No. : 10/693,663
Filed : October 24, 2003
For : METHODS AND APPARATUSES FOR
FIXATION OF THE SPINE THROUGH
AN ACCESS DEVICE
Examiner : Unknown
Group Art Unit : 3732

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

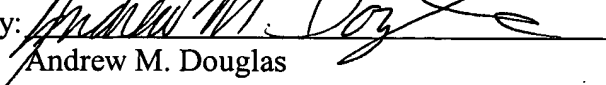
Enclosed is form PTO-1449 listing ninety-nine (99) references. Copies of disclosed U.S. patents and/or publications are not included pursuant to PTO waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of other references, if listed, are enclosed.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

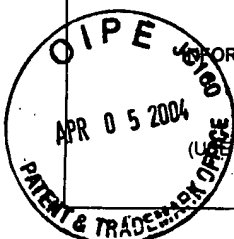
Dated: April 1, 2004

By: 
Andrew M. Douglas
Registration No. 51,212
Attorney of Record
Customer No. 20,995
(949) 760-0404

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
ENDIUS.033AAPPLICATION NO.
10/693,663INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT
Gene DiPotoFILING DATE
October 24, 2003GROUP
3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	3,789,852	02/05/1974	Kim et al.			
	2	4,545,374	10/08/1985	Jacobson			
	3	4,601,713	07/22/1986	Fuqua			
	4	4,716,901	01/05/1986	Jackson et al.			
	5	4,819,620	04/11/1989	Okutsu			
	6	4,863,133	09/05/1989	Bonnell			
	7	4,921,478	05/01/1990	Solano et al.			
	8	4,984,564	01/15/1991	Yuen			
	9	5,025,778	06/25/1991	Silverstein et al.			
	10	5,131,382	07/21/1992	Meyer			
	11	5,139,499	08/18/1992	Small et al.			
	12	5,163,949	11/17/1992	Bonutti			
	13	5,171,279	12/15/1992	Mathews			
	14	5,190,561	03/02/1993	Graber			
	15	5,195,541	03/23/1993	Obenchain			
	16	5,197,971	03/30/1993	Bonutti			
	17	5,224,680	07/06/1993	Greenstein et al.			
	18	5,287,845	02/22/1994	Faul et al.			
	19	5,295,994	03/22/1994	Bonutti			
	20	5,312,417	05/17/1994	Wilk			
	21	5,354,302	10/11/1994	Ko			
	22	5,370,674	12/06/1994	Farrell			
	23	5,395,317	03/07/1995	Kambin			
	24	5,439,464	08/08/1995	Shapiro			
	25	5,454,365	10/03/1995	Bonutti			
	26	5,472,426	12/05/1995	Bonati			
	27	5,484,437	01/16/1996	Michelson			
	28	5,489,307	02/06/1996	Kuslich et al.			

EXAMINER

DATE CONSIDERED

*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. ENDIUS.033A	APPLICATION NO. 10/693,663
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Gene DiPoto	
		FILING DATE October 24, 2003	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	29	5,520,607	05/28/1996	Frassica et al.			
	30	5,571,072	11/05/1996	Kronner			
	31	5,575,754	11/19/1996	Konomura			
	32	5,601,690	02/11/1997	Gauld et al.			
	33	5,667,520	09/16/1997	Bonutti			
	34	5,707,359	01/13/1998	Bufalini			
	35	5,792,044	08/11/1998	Foley et al.			
	36	5,795,289	08/18/1998	Wytenbach			
	37	5,827,319	10/27/1998	Carlson et al.			
	38	5,946,988	09/07/1999	Metz-Stavenhagen			
	39	5,954,635	09/21/1999	Foley et al.			
	40	5,961,499	10/05/1999	Bonutti			
	41	5,997,508	12/07/1999	Lunn et al.			
	42	6,120,437	09/19/2000	Yoon et al.			
	43	6,162,236	12/19/2000	Osada			
	44	6,171,299	01/09/2001	Bonutti			
	45	6,187,000	02/13/2001	Davison et al.			
	46	6,193,715	02/27/2001	Wrublewski			
	47	6,306,170	10/23/2001	Ray			
	48	6,312,443	11/06/2001	Stone			
	49	6,338,730	01/15/2002	Bonutti et al.			
	50	6,358,226	03/19/2002	Ryan			
	51	6,361,488	03/26/2002	Davison et al			
	52	6,371,968	04/16/2002	Kogasaka			
	53	6,383,195	05/07/2002	Richard			
	54	6,485,518 B1	11/26/2002	Cornwall et al.			
	55	6,494,893	12/17/2002	Dubrul et al.			
	56	6,497,654	12/24/2002	Leonard et al.			

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. ENDIUS.033A	APPLICATION NO. 10/693,663
	APPLICANT Gene DiPoto	
	FILING DATE October 24, 2003	GROUP 3732

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	81	EP 1305077 A1 ✓	05/02/2003	Europe				
	82	JP 2000083960 A2 ✓	03/28/2000	Japan				
	83	JP 2001149376 A2 ✓	06/05/2001	Japan				
	84	WO 92/21292 A2 ✓	12/10/1992	PCT				
	85	WO 93/14801 ✓	08/05/1993	PCT				
	86	WO 94/03114 ✓	02/17/1994	PCT				
	87	WO 95/10218 A1 ✓	04/20/1995	PCT				
	88	WO 95/32663 ✓	12/07/1995	PCT				
	89	WO 01/54560 A3 ✓	08/02/2001	PCT				
	90	WO 01/54560 A3	08/02/2001	PCT				
	91	WO 02/078767 A2 ✓	10/10/2002	PCT				
	92	WO 02/09801 A1 ✓	02/07/2002	PCT				
	93	WO 03/007783 A2	01/30/2003	PCT				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	94	U.S. Patent Application Serial No. 10/658,736 filed on 9/9/03 (Atty. No. ENDIUS.26CPCP2)
	95	U.S. Patent Application Serial No. 10/678,744 filed on 10/2/03 (Atty. No. ENDIUS.013A)
	96	H. Boucher; "Method of Spinal Fusion"; <i>Clin Orthop</i> 1997; 335; pages 4-9
	97	F. Magerl; "Stabilization of the Lower Thoracic Lumbar Spine With External Skeletal Fixation"; <i>Clin Orthop</i> 1984; 189; pages 125-141
	98	Lisa A. Ferrara et al.; "A Biomechanical Comparison of Facet Screw Fixation and Pedicle Screw Fixation"; <i>Spine</i> Volume 28, Number 12; pages 1226-1234
	99	Robert F. Heary et al.; "Circumferential Fusion for Spondylolisthesis in the Lumbar Spine"; <i>Neurosurg Focus</i> 13(1); 2002

H:\DOCS\CXR\CXR-1382.DOC
033104

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. ENDIUS.033A	APPLICATION NO. 10/693,663
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Gene DiPoto	
		FILING DATE October 24, 2003	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	57	6,524,320	02/25/2003	DiPoto			
	58	6,530,880	03/11/2003	Pagliuca			
	59	6,530,926	03/11/2003	Davison			
	60	6,540,747 B1	04/01/2003	Marino			
	61	6,564,078	05/13/2003	Marino et al.			
	62	2001/0011170	08/02/2001	Davison et al.			
	63	2001/0049498	12/06/2001	Davison et al.			
	64	2002/0002360	01/03/2002	Orth et al.			
	65	2003/0009130	01/09/2003	Stecker et al.			
	66	2003/0014068	01/16/2003	Bonutti et al.			
	67	2003/0040656	02/27/2003	Pagliuca et al.			
	68	2003/0073998	04/17/2003	Pagliuca et al.			
	69	2003/0139648	07/24/2003	Foley et al.			
	70	2003/0153911	08/14/2003	Shluzas			
	71	2003/0153927	08/14/2003	DiPoto et al.			
	72	2003/0167058	09/04/2003	Shluzas			
	73	2003/0191371	10/09/2003	Smith et al.			
	74	2003/0195405	10/16/2003	Marino et al.			
	75	2003/0199871	10/23/2003	Foley et al.			
	76	2003/0236529	12/25/2003	Shluzas et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	77	EP 0528562 A2 ✓	02/24/1993	Europe				
	78	EP 0807415 A2 ✓	11/19/1997	Europe				
	79	EP 0807415 A3 ✓	08/12/1998	Europe				
	80	EP 0980677 ✓	02/23/2000	Europe				

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	